

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

SEB INVESTMENT MANAGEMENT AB,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

ENDO INTERNATIONAL PLC, *et al.*,

Defendants.

Civ. A. No. 2:17-CV-3711-TJS

ELECTRONICALLY FILED

**LEAD PLAINTIFF'S UNOPPOSED MOTION FOR
APPROVAL OF DISTRIBUTION PLAN**

Lead Plaintiff SEB Investment Management AB hereby moves this Court, pursuant to Federal Rule of Civil Procedure 23, for entry of an order which will, *inter alia*: (i) approve the administrative determinations of the Court-appointed Claims Administrator, JND Legal Administration (“JND”), accepting and rejecting Claims submitted in connection with the Settlement reached in the above-captioned Action as set forth in the Declaration of Luiggy Segura in Support of Lead Plaintiff’s Unopposed Motion for Approval of Distribution Plan (“Segura Declaration”) attached hereto as Exhibit 1;¹ (ii) approve payment of \$205,799.91 from the Net Settlement Fund to JND for its outstanding fees and expenses incurred in connection with the administration of the Settlement and its estimate for the work to be performed in connection with the Initial Distribution of the Net Settlement Fund; (iii) direct the Initial Distribution of the Net Settlement Fund to Claimants whose Claims are accepted by JND as valid and approved by the

¹ Capitalized terms not defined herein shall have the meanings ascribed to them in the Segura Declaration and in the Stipulation and Agreement of Settlement dated August 22, 2019 previously filed with the Court (ECF No. 83-2) (“Stipulation”).

Court (“Authorized Claimants”) in accordance with the Distribution Plan set forth in the Segura Declaration, while maintaining a Reserve for any contingencies that may arise; (iv) direct that distribution checks issued in the Initial Distribution state that the check must be cashed within ninety (90) days after the issue date; (v) direct that Authorized Claimants will forfeit all recovery from the Settlement if they fail to cash their distribution checks in a timely manner; (vi) approve the recommended plan for re-distribution and/or contribution of any funds remaining in the Net Settlement Fund following the Initial Distribution; (vii) release claims related to the administration process; (viii) authorize the destruction of Claims and supporting documents as set forth in the Segura Declaration; and (ix) provide that the Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as this Court deems appropriate.

This unopposed Motion is based on the accompanying Memorandum of Law and the Segura Declaration (Exhibit 1). The [Proposed] Order Approving Distribution Plan is also submitted herewith

Lead Counsel has provided Defendants advance notice of this Motion. This Motion is unopposed by Defendants.²

² Defendants have no role in or responsibility for the administration of the Settlement Fund or processing of Claims, including determinations as to the validity of Claims or the distribution of the Net Settlement Fund. *See Stipulation, ¶ 23.* (“[N]one of Defendants, nor any of the other Defendant Releasees, shall have any involvement in or any responsibility, authority or liability whatsoever for the selection of the Claims Administrator, the Plan of Allocation, the administration of the Settlement, the Claims process, or disbursement of the Net Settlement Fund, and shall have no liability whatsoever to any person or entity, including, but not limited to, Lead Plaintiff, any other Settlement Class Members or Plaintiffs’ Counsel in connection with the foregoing.”).

Dated: August 10, 2021

Respectfully submitted,

**KESSLER TOPAZ MELTZER
& CHECK, LLP**

s/ Sharan Nirmul

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*Counsel for Lead Plaintiff SEB Investment
Management AB and the Settlement Class*

CERTIFICATE OF COUNSEL

Pursuant to Local Rule 7.1(b), it is hereby certified that this motion is unopposed.

s/ Sharan Nirmul
Sharan Nirmul

CERTIFICATE OF SERVICE

I, Sharan Nirmul, hereby certify that on August 10, 2021, a true and correct copy of the foregoing motion and supporting documents has been electronically filed with the Clerk of Court, is available for viewing and downloading from the ECF system, and will be served by operation of the Court's ECF system to all counsel of record.

s/ Sharan Nirmul

Sharan Nirmul